

§ 111.41

11 CFR Ch. I (2–3–03 Edition)

U.S.C. 3701 *et seq.* (1996), or a civil suit pursuant to 2 U.S.C. 437g(a)(6)(A), or any other legal action deemed necessary by the Commission.

§ 111.41 To whom should the civil money penalty payment be made payable?

Payment of civil money penalties shall be made in the form of a check or money order made payable to the Federal Election Commission.

§ 111.42 Will the enforcement file be made available to the public?

(a) Yes; the Commission shall make the enforcement file available to the public.

(b) If neither the Commission nor the respondent commences a civil action, the Commission shall make the enforcement file available to the public pursuant to 11 CFR 4.4(a)(3).

(c) If a civil action is commenced, the Commission shall make the enforcement file available pursuant to 11 CFR 111.20(c).

§ 111.43 What are the schedules of penalties?

(a) The civil money penalty for all reports that are filed late or not filed, except election sensitive reports and pre-election reports under 11 CFR 104.5, shall be calculated in accordance with the following schedule of penalties:

If the level of activity in the report was:	And the report was filed late, the civil money penalty is:	Or the report was not filed, the civil money penalty is:
\$1–24,999.99 ^a	[\$100 + (\$25 × Number of days late)] × [1 + (.25 × Number of previous violations)].	\$900 × [1 + (.25 × Number of previous violations)].
\$25,000–49,999.99	[\$200 + (\$50 × Number of days late)] × [1 + (.25 × Number of previous violations)].	\$1800 × [1 + (.25 × Number of previous violations)].
\$50,000–74,999.99	[\$300 + (\$75 × Number of days late)] × [1 + (.25 × Number of previous violations)].	\$2700 × [1 + (.25 × Number of previous violations)].
\$75,000–99,999.99	[\$400 + (\$100 × Number of days late)] × [1 + (.25 × Number of previous violations)].	\$3500 × [1 + (.25 × Number of previous violations)].
\$100,000–149,999.99	[\$600 + (\$125 × Number of days late)] × [1 + (.25 × Number of previous violations)].	\$4500 × [1 + (.25 × Number of previous violations)].
\$150,000–199,999.99	[\$800 + (\$150 × Number of days late)] × [1 + (.25 × Number of previous violations)].	\$5500 × [1 + (.25 × Number of previous violations)].
\$200,000–249,999.99	[\$1000 + (\$175 × Number of days late)] × [1 + (.25 × Number of previous violations)].	\$6500 × [1 + (.25 × Number of previous violations)].
\$250,000–349,999.99	[\$1500 + (\$200 × Number of days late)] × [1 + (.25 × Number of previous violations)].	\$8000 × [1 + (.25 × Number of previous violations)].
\$350,000–449,999.99	[\$2000 + (\$200 × Number of days late)] × [1 + (.25 × Number of previous violations)].	\$9000 × [1 + (.25 × Number of previous violations)].
\$450,000–549,999.99	[\$2500 + (\$200 × Number of days late)] × [1 + (.25 × Number of previous violations)].	\$9500 × [1 + (.25 × Number of previous violations)].
\$550,000–649,999.99	[\$3000 + (\$200 × Number of days late)] × [1 + (.25 × Number of previous violations)].	\$10,000 × [1 + (.25 × Number of previous violations)].
\$650,000–749,999.99	[\$3500 + (\$200 × Number of days late)] × [1 + (.25 × Number of previous violations)].	\$10,500 × [1 + (.25 × Number of previous violations)].
\$750,000–849,999.99	[\$4000 + (\$200 × Number of days late)] × [1 + (.25 × Number of previous violations)].	\$11,000 × [1 + (.25 × Number of previous violations)].
\$850,000–949,999.99	[\$4500 + (\$200 × Number of days late)] × [1 + (.25 × Number of previous violations)].	\$11,500 × [1 + (.25 × Number of previous violations)].
\$950,000 or over	[\$5000 + (\$200 × Number of days late)] × [1 + (.25 × Number of previous violations)].	\$12,000 × [1 + (.25 × Number of previous violations)].

^a The civil money penalty for a respondent who does not have any previous violations will not exceed the level of activity in the report.